

TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number

10/542,041-Conf. #8689

Filing Date

February 28, 2006

First Named Inventor

Jean-Pierre Schoellkopf

Art Unit

2815

Examiner Name

J. J. B. Clark

Attorney Docket Number

S1022.81095US00

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☒ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/Incomplete Application☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

WOLF, GREENFIELD & SACKS, P.C.

Signature

Printed name

James H. Morris

Date

May 10, 2007

Reg. No.

34,681

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 10, 2007

Signature:



(Alison R. Sher)



Docket No.: S1022.81095US00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jean-Pierre Schoellkopf
Serial No.: 10/542,041
Confirmation No.: 8689
Filed: February 28, 2006
For: EMBEDDED CAPACITOR ASSOCIATED WITH AN SRAM CELL
Examiner: J. J. B. Clark
Art Unit: 2815

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 10, 2007

Alison R. Sher
Alison R. Sher

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed April 11, 2007, Applicant respectfully requests reconsideration and withdrawal of the Restriction Requirement,

Applicant acknowledges that the Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)). However, Applicant notes that this application is a national phase of a PCT application. As such the Examiner must apply the unity of invention rules to Articles 3 and 27 and Rule 13 of the PCT.

Chapter V, Volume I paragraph 138 of the PCT Applicant's Guide states:

An international application which complies with the unity of invention requirements laid down in Rule 13 must be accepted by all the designated and elected Offices, since Article 27(1) does not allow any national law (as defined in Article 2(x)) to require compliance with requirements relating to the contents of